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Approved: 

ALEX ROSSMILLER

Assistant United States Attorney

Before: HONORABLE BARBARA MOSES  
 United States Magistrate Judge  
 Southern District of New York

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	:	
UNITED STATES OF AMERICA	:	<u>SEALED COMPLAINT</u>
	:	
- v. -	:	Violations of
	:	18 U.S.C. §§ 922(g)(1),
SHARRON WAYNE,	:	924(a)(2), and 2
	:	
Defendant.	:	COUNTY OF OFFENSE:
	:	BRONX
- - - - -	x	

SOUTHERN DISTRICT OF NEW YORK, ss.:

JAMA JOSEPH, being duly sworn, deposes and says that he is a Detective with the New York City Police Department ("NYPD") and charges as follows:

COUNT ONE

(Felon in Possession of a Firearm)

1. On or about June 7, 2022, in the Southern District of New York and elsewhere, SHARRON WAYNE, the defendant, knowing he previously had been convicted in a court of a crime punishable by imprisonment for a term exceeding one year, knowingly did possess, in and affecting commerce, a firearm, to wit, a .22 caliber Cobra Enterprises derringer pistol, and the firearm was in and affecting commerce.

(Title 18, United States Code, Sections 922(g),  
 924(a)(2), and 2.)

The bases for my knowledge and for the foregoing charge are, in part, as follows:

2. I am a Detective with the NYPD, and I am personally involved in the investigation of this matter. This affidavit is based upon my conversations with other law enforcement officers, my examination of reports and records prepared by law enforcement officers, and my personal involvement in this

investigation. Because this affidavit is being submitted for the limited purpose of establishing probable cause, it does not include all of the facts that I have learned during the course of my investigation. Where the contents of documents and the actions, statements, and conversations of others are reported herein, they are reported in substance and in part, except where otherwise indicated.

3. Based upon my conversations with other law enforcement officers, my examination of reports and records prepared by law enforcement officers, my review of body-worn camera footage and surveillance camera footage, and my involvement in this investigation, I have learned, among other things, the following:

i. On or about June 7, 2022, four uniformed New York Police Department ("NYPD") officers ("Officer-1," "Officer-2," "Officer-3," and "Officer-4," and collectively the "Officers") were on patrol in an unmarked police vehicle in the Bronx, New York, when they observed two individuals at a certain gas station (the "Gas Station") with motorbikes that did not have license plates. One of the individuals with a motorbike (the "Motorbike") was subsequently identified as SHARRON WAYNE, the defendant.

ii. Officer-1 drove the patrol car into the entrance area of the Gas Station, at which time Officer-2 and Officer-3 exited the vehicle and began to approach each individual with motorbikes without license plates.

iii. When Officer-2 exited the patrol car, he approached WAYNE, who was wearing a fanny-pack-like bag across his shoulder and chest (the "Bag"), and initiated a conversation. At that time, WAYNE had driven the Motorbike up to a gas pump and was sitting on the Motorbike and fueling it through an opening at the top of the center console. Officer-2 initiated a conversation about the absence of a license plate on the Motorbike. In sum and substance, Officer-2 asked WAYNE if he had registration or paperwork for the Motorbike. As Officer-2 initially spoke with WAYNE, Officer-1 parked and exited the patrol car and walked over to the location of WAYNE and Officer-2 in the Gas Station.

iv. Approximately 10 seconds after Officer-1 began speaking with WAYNE, WAYNE got off the Motorbike and was standing next to Officer-1 and Officer-2. At that time, WAYNE appeared to reach for the Bag on his chest, in the context of having been asked for identification and paperwork. As WAYNE

did so, approximately five seconds after getting off the Motorbike, he attempted to flee. Specifically, WAYNE turned away from the Officers and ran for several steps before the Officers caught up to him.

v. Following the very short pursuit, the Officers attempted to detain WAYNE. The Officers and WAYNE fell to the ground, and WAYNE resisted the Officers' attempts to place him in handcuffs. One of the Officers attempted to maintain control of WAYNE's legs; another was at the area of WAYNE's back and side; and another attempted to place WAYNE in handcuffs. Officer-1 was near WAYNE's upper body and head area, and he pulled the Bag away from WAYNE.

vi. During the continuing struggle, Officer-1 opened the Bag and visually identified a number of individual containers of marijuana and a small firearm (the "Firearm"). The Firearm subsequently was identified as a .22 caliber Cobra Enterprises derringer pistol. WAYNE was then placed under arrest. When the Firearm was seized, it was loaded with two bullets.

vii. Following his arrest, NYPD officers transported WAYNE to the vicinity of the 42nd Precinct, Bronx (the "Precinct"). At the precinct, while being booked and processed, WAYNE removed a clear plastic bag from his sock containing two bullets. NYPD officers took possession of and vouchered the additional bullets.

4. Based upon my examination of reports and records maintained by law enforcement officers, I have learned that SHARRON WAYNE, the defendant, previously has been convicted of at least three felonies, including:

i. On or about May 4, 2017, WAYNE was convicted of Criminal Possession of a Firearm, a Class E felony, in Kings County Supreme Court, in violation of New York Penal Law Section 265.01-B, and was sentenced to a term of incarceration of 18 months to three years.

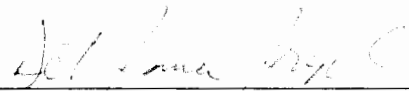
ii. On or about March 27, 2015, WAYNE was convicted of Criminal Possession of a Controlled Substance in the Fifth Degree, a Class D Felony, in Kings County Supreme Court, in violation of New York Penal Law Section 220.06, and was sentenced to a term of incarceration of 18 months.

iii. On or about May 22, 2012, WAYNE was convicted of Criminal Sale of a Controlled Substance in the Third Degree, a

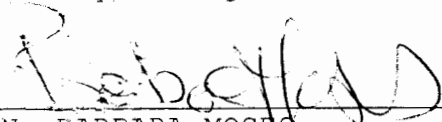
Class B Felony, in New York County Supreme Court, in violation of New York Penal Law Section 220.39, and was sentenced to a term of incarceration of 18 months.

5. Based on my communications with another law enforcement agent at the Bureau of Alcohol, Tobacco, Firearms and Explosives ("ATF"), who is familiar with the manufacturing of firearms, I am aware that the Firearm was manufactured outside New York State.

WHEREFORE, I respectfully request that an arrest warrant be issued for SHARRON WAYNE, the defendant, and that he be arrested and imprisoned or bailed, as the case may be.

  
\_\_\_\_\_  
JAMA JOSEPH  
Detective  
New York City Police Department

Sworn to before me this  
18th day of August 2022

  
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HON. BARBARA MOSES  
UNITED STATES MAGISTRATE JUDGE  
SOUTHERN DISTRICT OF NEW YORK